

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EXPEREXCHANGE, INC.,

Case No. C08-03875 JCS

Plaintiff(s),

v.

**ORDER FOR ADDITIONAL
MATERIALS IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES AND COSTS**

DOCULEX, INC.,

Defendant(s).

Defendants have filed a motion for attorneys' fees and costs, which is set for hearing on April 2, 2010. In order to rule on Defendants' motion, the Court requires the following additional materials:

1. Evidence for all counsel as to whom fees are sought that their rates are in line with the prevailing rates in the particular geographical areas in which they practice in light of their experience and qualifications. This evidence should consist of surveys, awards in other cases, or declarations by practitioners who practice in the relevant legal market.
2. A chart listing all depositions Defendants' counsel attended and the number and names of the attorneys who attended those depositions, as well as the time spent by each attorney at each of the depositions; where more than one attorney attended a deposition, Defendants shall provide a declaration addressing why the participation of more than one attorney was required.
3. A chart or declaration identifying any time entries listed on the time sheets provided to the Court in which time was spent by new counsel to familiarize themselves with the case.
4. A declaration addressing whether the exercise of billing judgment as to any time entries is appropriate and, if so, identifying time entries that may be excluded from the Court's fee award, if any.

Defendants shall file these additional materials no later than **March 26, 2010**. Plaintiff's

counsel shall be permitted to address these new materials at oral argument and in addition, shall be permitted to submit a supplemental brief to address the materials following the hearing, if necessary.

IT IS SO ORDERED.

Dated: March 11, 2010



JOSEPH C. SPERO
United States Magistrate Judge